

REMARKS

Claims 1-3 are pending in this application. By this Amendment, the Abstract and claims 1 and 2 are amended. Claims 1 and 2 are amended to even more clearly distinguish over the applied art. No new matter is added by this Amendment. In view of the foregoing, reconsideration and allowance are respectfully requested.

The Office Action objected to the Abstract. Applicant submits that the attached amended Abstract overcomes the objection. Withdrawal of the objection is requested.

I. Rejections Under 35 U.S.C. §103(a)

A. O'Neal in view of Ueng

Claims 1 and 3 are rejected under 35 U.S.C. §103(a) over O'Neal (U.S. Patent No. 5,064,157) in view of Ueng (U.S. Patent No. 4,802,751). This rejection is respectfully traversed.

Applicant respectfully submits that the Office Action has failed to make a *prima facie* case of obviousness. In particular, the Office Action has failed to show a suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify O'Neal or to combine references teachings.

The Office Action states that while O'Neal fails to teach a crossbrace having part-spherical knobs formed at each end, and two clamps each having spherical recesses for reception of the crossbrace knob, Ueng discloses a support assembly (16) consisting of two clamp halves (20) where both clamp halves form a spherical cavity (22) for retaining a spherical knob (31) and, thus, in view of Ueng it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ueng with the crossbrace assembly of O'Neal to result in Applicant's claim 1.

However, Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to modify O'Neal with the teachings of Ueng to result in the

combination of features recited in claim 1. The mirror assembly of Ueng and the crossbrace assembly of O'Neal are non-analogous art in that they are designed to serve different purposes and to solve different problems. One of ordinary skill in the art of crossbrace assemblies for motorcycle handlebars would not look to a mirror assembly of an automobile to address secure attachment of a crossbrace assembly of a motorcycle handlebar. For example, the issue addressed in Ueng is mirror position. See, for example, column 1, lines 13-15.

Accordingly, Ueng provides a mirror assembly with a universal joint that allows an operator of an automobile to adjust the angular position of the mirror. The mirror assembly comprises a mirror attached to a lower-stem half (18) having a universal joint (31) that enables the lower-stem half (18) to rotate in all directions. See, for example, column 2, lines 21-23 and 38-43. In contrast, the issue addressed in O'Neal and with Applicant is secure attachment of a crossbrace. See, for example, column 1, lines 15-19 of O'Neal. Accordingly, O'Neal provides mounting brackets for a handlebar crossbrace that prevent the crossbrace from moving or rotating with respect to the brackets. See, for example, column 1, lines 34-37.

Applicant's combination of features recited in claim 1 allows the connection to be made securely yet without strain in any appropriate angular position. See page 9, lines 4-6. Neither O'Neal nor Ueng recognizes or addresses these issues.

Withdrawal of the rejection is respectfully requested.

B. O'Neal in view of Saunders

Claims 1-3 are rejected under 35 U.S.C. §103(a) over O'Neal in view of Saunders, IV (U.S. Patent No. 4,700,919). This rejection is respectfully traversed.

Applicant respectfully submits that the Office Action has failed to make a *prima facie* case of obviousness for reasons similar to those discussed above with respect to O'Neal and Ueng. The Office Action asserts that in view of Saunders, it would have been obvious to a

person of ordinary skill in the art to modify the crossbrace assembly of O'Neal to result in Applicant's claim 1.

However, Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to modify O'Neal with the teachings of Saunders to result in Applicant's claim 1. In particular, one of ordinary skill in the art of crossbrace assemblies for motorcycle handlebars would not look to an accessory holder assembly of a motorcycle to address the issue of secure attachment of a crossbrace. The design and function of a crossbrace assembly for a motorcycle handlebar, such as the one disclosed in O'Neal, is completely different from an accessory holder for a motorcycle, such as the one disclosed in Saunders. For example, the design and function of the crossbrace assembly in O'Neal is to provide mounting brackets for a handle bar crossbrace that prevents the crossbrace from moving or rotating with respect to the bracket. See, for example, column 1, lines 34-37. Once fitted, the crossbrace remains tightly and securely clamped and further adjustment is not a requirement. On the other hand, the design and function of the accessory holder assembly of Saunders is to provide a mechanism for adjusting the angle of the accessory holder. Accordingly, withdrawal of the rejection is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Thomas J. Pardini
Registration No. 30,411

Timothy S. Smith
Registration No. 58,355

TJP:TSS/tbm

Attachment:

Amended Abstract

Date: August 25, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--